

***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: Robert E. CLICK  
Title: NOVEL BACTERIUM FOR  
TREATMENT OF DISEASE  
Appl. No.: 10/516,640  
International Filing Date: 06/03/2003  
371(c) Date: 12/01/2004  
Examiner: Zohreh A. Fay  
Art Unit: 1618  
Confirmation Number: 6993

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR

§1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

**TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits, and within three (3) months of the mailing date of the foreign search report.

**RELEVANCE OF EACH DOCUMENT**

All of the documents are in English.

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

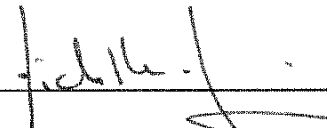
Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 50-2350.

Respectfully submitted,

Dated: September 22, 2006

FOLEY & LARDNER LLP  
Customer Number: 23524  
Telephone: (608) 258-4305  
Facsimile: (608) 258-4258

By

  
Michelle Manning  
Attorney for Applicant  
Registration No. 50,592

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  Date Submitted: September 22, 2006  (use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/516,640
				Filing Date	12/01/2004
				First Named Inventor	Robert E. CLICK
				Group Art Unit	1618
				Examiner Name	Zohreh A. Fay
				Attorney Docket Number	082734-0113
Sheet	1	of	1		

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
			WO 99/49054		St. George's Hospital Medical School, et al.	9/30/1999		

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
		Supplementary European Search Report dated July 20, 2006 for European Patent Application No. 03741864.7.	
		Rainey, F.A., et al., "Dietzia, A New Genus Including Dietzia Maris Comb. Nov., Formerly Rhodococcus Maris," International Journal of Systematic Bacteriology, Vol. 45, No. 1, January 1995, pp. 32-36.	
		Duckworth, A.W., et al., "Dietzia Natronolimnaios Sp. Nov., A New Member of the Genus Dietzia Isolated from an East African Soda Lake," Extremophiles, Springer-Verlag, Tokyo, JP, Vol. 2, No. 3, August 1998, pp. 359-366.	
		Database WPI Section CH, Week 200013, Derwent Publications Ltd., Londong, GB; Class B04, AN 2000-145986 XP002388668 & RU 2 120 992 C1 (Markov I I), 27 October 1998.	

Examiner Signature	Date Considered	
--------------------	-----------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.